UNITED STATES DISTRICT COURT DISTRICT OF NEW JERSEY

1:18-cv-17197 (NLH)

DARNELL STEWART,

MEMORANDUM OPINION & ORDER

Petitioner,

v.

ATTORNEY GENERAL OF THE STATE OF NEW JERSEY,

Respondent.

<u>APPEARANCES</u>:

Darnell Stewart 567134/136118C New Jersey State Prison PO Box 861 Trenton, NJ 08625

Petitioner pro se

Jill S. Mayer, Acting Camden County Prosecutor Kevin Jay Hein, Assistant Prosecutor Camden County Prosecutor's Office 200 Federal Street Camden, NJ 08103

Attorneys for Respondent

HILLMAN, District Judge

WHEREAS, Petitioner Darnell Stewart filed a petition for writ of habeas corpus under 28 U.S.C. § 2254 on December 12, 2018, see ECF No. 1; and

WHEREAS, Respondent moved to dismiss the petition as

untimely under the Anti-Terrorism and Effective Death Penalty Act of 1996, see ECF No. 7; and

WHEREAS, the Court denied the motion on April 14, 2020 and ordered Respondent to file a full answer to the petition, see ECF No. 13; and

WHEREAS, Petitioner filed a letter on May 8, 2020 asking for a 90-day extension due to an inability to access the law library because of a lockdown imposed in light of the covid-19 pandemic, ECF No. 14; and

WHEREAS, there is currently nothing due from the

Petitioner. Pursuant to the Court's April 14 order, Respondent

was to file its answer by May 29, 2020. However, Chief Judge

Wolfson issued Standing Order 2020-09 on April 17, 2020

directing that "all filing and discovery deadlines in civil

matters that currently fall between May 1, 2020 and May 31, 2020

are extended by 30 days" Standing Order 2020-09,

available at https://www.njd.uscourts.gov/sites/njd/files/2020
09.pdf (last visited May 11, 2020); and

WHEREAS, pursuant to Standing Order 2020-09, Respondent's deadline to answer is extended to June 29, 2020. Petitioner would then be able to submit a traverse by July 29, 2020; and

WHEREAS, Petitioner does not indicate in his letter why he requires an extension. If he needs an extension in order to file his traverse after he receives Respondent's answer, he may

request one at that time,

THEREFORE, IT IS on this 12th day of May, 2020

ORDERED that Petitioner's request for an extension of time,

ECF No. 14, is denied without prejudice; and it is further

ORDERED that Respondent's deadline to answer is extended to

June 29, 2020; and it is finally

ORDERED that the Clerk shall send a copy of this order to Petitioner by regular mail.

At Camden, New Jersey

s/ Noel L. Hillman NOEL L. HILLMAN, U.S.D.J.